

SO ORDERED.

SIGNED this 15 day of April, 2025.




Joseph N. Callaway
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION**

**IN RE:
TINY FROG, INC.,
Debtor.**

**Case No. 25-01081-5-JNC
Chapter 11**

**SUPPLEMENTAL ORDER AUTHORIZING
DEBTOR TO PAY ADMINISTRATIVE
EXPENSE CLAIM**

The matter before the court is the request of debtor Tiny Frog, Inc. made in open court seeking entry of a supplemental order pertaining to its prior motion (Dkt. 24) for authority to pay prepetition invoices of its restaurant inventory supplier, Sysco Raleigh, LLC ("Sysco"). In that motion, the debtor sought permission to pay Sysco invoices totaling \$128,266.05. However, at the hearing thereon held April 9, 2025, the requested amount was reduced to \$64,909.36 as the actual unpaid amount due Sysco entitled to administrative claim status under 11 U.S.C. § 503(b)(9) for inventory sold on credit and delivered within twenty (20) days prior to the filing of its chapter 11 petition (March 25, 2025). The court accordingly entered an order on April 10, 2025 (Dkt. 42), approving the payment to Sysco at \$64,909.36.

At the return hearing on first day orders held April 15, 2025, the debtor's principal, Mr. Alex Ramos, testified that the request for \$64,909.36 did not take into account the dishonor by the Debtor's bank of a final automatic draft to Sysco the evening before the petition filing. He maintains that the original \$128,266.05 balance consequently is the correct amount entitled to administrative claim status pursuant to 11 U.S.C. § 503(b)(9). A line-by-line review of prepetition outstanding Sysco invoices confirms the unpaid balance as well as the fact that all corresponding deliveries were made after March 5 and before March 25, 2025 in the ordinary course of business.

The Bankruptcy Administrator and counsel for The Bancorp Bank, both present at the hearing, did not object to the relief sought and no evidence to the contrary was presented. No objection to the original motion has been filed either.

Based upon the evidence presented, it appears that, after accounting for the \$64,909.36 permitted in the prior order, the additional balance of \$63,356.69 for the Sysco goods sold prepetition also represents inventory and goods delivered in the ordinary course of business within 20 days prior to the petition date. Sysco's full \$128,266.05 prepetition claim is entitled to administrative expense status pursuant to 11 U.S.C. § 503(b)(9) and may be paid without delay by the Debtor consistent with this and other orders of the court.

IT IS, THEREFORE, ORDERED AND DECREED that the motion at Dkt. 24 as originally filed is APPROVED. The debtor Tiny Frog, Inc. is authorized to pay all \$128,266.05 of the prepetition invoices of Sysco Raleigh, LLC qualifying as administrative claims in this case pursuant to 11 U.S.C. § 503(b)(9) consistent with cash collateral orders. The prior Order at Dkt. 42 is deemed amended and supplemented to this effect. This order is effective immediately upon entry.

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